

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**SPECIAL CITY COUNCIL MEETING
COUNCIL CHAMBERS
MARCH 22, 2004
10:30 A.M.**

The City Council met at the above place and date at approximately 10:47 a.m. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Robert A. Cushing, Jr., Jose Alexandro Lozano, Paul J. Escobar, and Anthony Cobos. Absent: Vivian Rojas. Late arrivals: Susan Austin, John F. Cook and Daniel S. Power.

AGENDA

1. Discussion and action regarding Building Permits & Inspections Department on the following:

1A. Fee Increases:

1B. Third Party Inspections:

1C. Organizational Chart

Mr. Alan Shubert, Director of Building Permits and Inspections, gave a Powerpoint presentation regarding the proposed Building Permits and Inspections ("BP&I") fees. He answered questions from and responded to comments made by the Council Members.

Mr. Jim Martinez, Chief Administrative Officer, elaborated on the fee changes, improvements to the BP&I Department, and indirect costs to the department.

Mr. David Almonte, Director of OMB, commented on the proposed fee changes and explained that functions of the department could be examined and realigned during the budget process.

Representative Power objected to raising fees without improving services and expressed skepticism regarding the number of days it is taking to issue permit(s) (shown in the department's report). (Exhibit "C" of the March 17, 2004 Progress Report regarding Third Party Plan (on file in the City Clerk's office). He added comments relating to the disparity between the Cities of Las Cruces and El Paso in the volume of building permits issued.

Mayor Joe Wardy explained that the fee increases were routine and clarified that fee increases and departmental performance are not tied to each other. He explained that the imposition of the fee increases were needed; otherwise, a reduction in the delivery of services would be necessary. He proposed forming a six member-working group to oversee changes within the BP&I department and commented on the current permitting process.

Representative Austin questioned Ms. Patricia Adata, Deputy CAO for Building and Planning Services, on how Building Permits & Inspections and the El Paso Association of Builders could come to an agreement on the turnaround time for permit issuance.

Representative Lozano commented on enforcement.

Representative Escobar agreed with Mayor Joe Wardy that fee increases and performance are not inter-related, but that the department's efficiencies would have a positive effect within the building industry saving the builder's money.

Ms. Patricia Adata, Deputy CAO for Building and Planning Services, explained that the City of Las Cruces building permit numbers included permits issued for utility services, giving the illusion of a higher volume of permits issued than El Paso's.

Mr. Ray Adata, El Paso Association of Builders, referred to figures provided to Council Members at an earlier meeting regarding the number of permits issued by the City of Las Cruces. He commented that the figures provided by BP&I regarding timeframe for the issuance of permits and fee increase figures provided by OMB and the CAO were misleading. He added that even if the BP&I Department increased their services, the building industry would not support the fee increases. He answered questions from and responded to comments made by the Council Members.

Mr. Randy Bowling, Tropicana Homes, commented on the permitting timeframe and process to obtain a building permit and noted that the implementation of the Tidemark System had yielded positive results. He referred to a letter he had written (on file in the City Clerk's Office). He answered questions from and responded to comments made by the Council Members.

Mr. Del Huit, Cardel Homes, recommended a comprehensive review of the proposed fee increases and permitting process. He answered questions from and responded to comments made by the Council Members.

Mr. Lester Bennett, Desert Tech Inspection Service, commented on the permitting process and disputed comments regarding increased liability for contractors.

Mr. John Ivey, JP Ivey Inc., commented on the lack of fulfilled promises by previous City Council administrations to increase staffing efficiencies in exchange for increasing fees. He answered questions from and responded to comments made by the Council Members. He gave examples of the Cities of Los Angeles and Houston's efficient permitting processes.

Representative Lozano questioned the Building Permits and Inspections Department organizational structure, specifically code compliance and permit issuance.

Ms. Patricia Adata, Deputy CAO for Building and Planning Services, explained the Building Permits & Inspection Department's organizational structure.

Representative Cushing questioned Mr. Shubert pertaining to the industry standard when issuing permits and his job specifications.

Mr. Shubert responded that core functions of the department were defined by Council Members and added that the primary function of BP&I was building and building issues. He estimated that 40% of the duties the department currently performs are outside the core functions. He provided the Council Members with information regarding the staffing specialties within the department.

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Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 12:52 p.m.

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APPROVED AS TO CONTENT:



Richarda Duffy Momsen, City Clerk